Meeting at the Children's Play Area

City of Lafayette
Public Meeting Agenda
Lafayette City Council Special Meeting

Monday, August 10, 2009 **6:30 PM**
Lafayette Community Park
480 St. Mary's Road, Lafayette, California

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1) CALL TO ORDER
2) ROLL CALL
3) ADOPTION OF AGENDA
4) PUBLIC COMMENTS
5) PRESENTATION

Lafayette Community Park
Children's Play Area – Ribbon Cutting Ceremony

6) ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Agenda
Lafayette City Council
Redevelopment Agency
Creeks Committee

Monday, August 10, 2009 **7:00 PM**
Lafayette Community Center – **Manzanita Room**
500 St. Mary's Road, Lafayette, California

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1) CALL TO ORDER
2) ROLL CALL
3) PLEDGE OF ALLEGIANCE
4) ADOPTION OF AGENDA
5) PUBLIC COMMENTS
6) PRESENTATIONS
   A. **Mayor Tatzin**
   Invitation to State Legislators to Discuss Their Votes and Positions Regarding the State Budget
   Recommendation: Discuss and direct staff.

   Convene jointly with Creeks Committee

   B. **Creeks Committee**
   2009 Goals and Accomplishments
   Recommendation: Receive and file.

   Adjourn joint meeting

7) OLD BUSINESS
   A. **Steven Falk, City Manager**
      1. **2009 Goals Update**
      Recommendation: Receive and file.

      2. **Draft Letter to Property Owners Regarding City's Interest in Purchasing Downtown Property for the Purpose of Public Parking**
      Recommendation: Review draft letter and list of properties. Direct staff to send letter to property owners.

   Convene Redevelopment Agency

8) STAFF REPORTS
   A. **Ann Merideth, Community Development Director**
   Agreement with Design, Community & Environment to prepare the Downtown Lafayette Specific Plan Environmental Impact Report
   Recommendation: Approve agreement with Design, Community & Environment to prepare the Downtown Lafayette Specific Plan Program Environmental Impact Report.

B. **Tracy Robinson, Administrative Services Director**
Second Loan Agreement and First Amendment to Loan Agreement between the Lafayette Redevelopment Agency and the Lafayette Library & Learning Center Foundation
Recommendation: Approve the form and terms of the loan agreements between the Lafayette Redevelopment Agency and the Lafayette Library & Learning Center Foundation and authorize the Executive Director to execute the agreements once the final loan amount has been determined.

Adjourn Redevelopment Agency

9) PUBLIC HEARING

A. **Michael Cass, Assistant Planner**
ZT02-09: Interim Urgency Ordinance 588 Extending the Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries for Ten (10) Months and Fifteen (15) Days
Recommendation: Adopt Ordinance 588.

B. **Christine Sinnette, Senior Planner**
Consideration of proposed amendments to the Lafayette Municipal Code consisting of (1) Ordinance 586 amending Chapter 6-23, Outdoor Storage and Repairs, (2) Ordinance 589 amending Chapter 1-3, Penalty Provisions, (3) Ordinance 590 amending Chapter 1-9, Administrative Citations, and (4) Ordinance 591 amending Chapter 8-21, Code Enforcement
Recommendation: Continue without discussion to the September 14, 2009 meeting.

10) CONSENT CALENDAR

A. **City Council Minutes**
July 27, 2009
Recommendation: Approve

B. **Results of Deer Hill Road and St. Mary's Road Pavement Rehabilitation Project Bid**
Recommendation: Adopt the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act.

C. **Grant of Trail Easement between Weylin G. Eng and Roselyn M Eng and the City of Lafayette relocating a segment of the Burton Ridge Trail**
Recommendation: Authorize the City Manager to sign the Quitclaim Deed regarding a section of the original trail easement alignment and accept a relocated trail easement alignment.

D. **Resolution 2009-46 Approving an authorization to apply for the City's remaining $113,000 in Measure AA local grant funds under the EBRPD Regional Open Space, Wildlife, Shoreline, and Parks Bond Ordinance**
Recommendation: Adopt Resolution 2009-46.

E. **701 Glenside Circle – Request for a six-foot wood fence and a wood fence on a masonary retaining wall that encroaches into the public right-of-way**
Recommendation: Approve the encroachment into the City right-of-way along the property of 701 Glenside Circle and authorize the City Manager to execute an encroachment agreement with the applicant and direct the City Clerk to record.

F. **Disposal of Surplus City Equipment**
Recommendation: Declare that the equipment is surplus property.

G. **Award of Contract for Culvert Repairs: PWS 09-03 and 09-04**
Recommendation: Award contract for PWS 09-03 and PWS 09-04 to William G. McCullough Company in the amount of $39,996.00.

H. **Increase Budget for Fund 32 Parking Program for FY08/09 by $26,500 to Account for Parking Fee Increases in the Happy Valley Road Parking Lot aka ATT Parking Lot**
Recommendation: Increase the budget for Fund 32 Parking Fund by $26,500 and authorize the City Manager to sing the lease termination.

I. **2009 Planning Division Work Plan: Schedule for Completing Long Range Tasks**
Recommendation: Receive and file.

J. **Resolution 2009-47 Endorsing and Encouraging Residential Seismic Strengthening Plan for Wood Frame Houses**
Recommendation: Adopt Resolution 2009-47.

K. **Designation of City Manager to Award Stanley Boulevard Traffic Calming and Sidewalk Project**
Recommendation: Delegate authority to the City Manager to award the Stanley Boulevard Traffic Calming and Sidewalk Project with the understanding that the lowest responsible bid would allow the work to be completed within the existing project budget.

11) COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. **Councilmembers Federighi and Anderson**
First Amendment to Third Amended Joint Exercise of Powers Agreement with the Central Contra Costa Solid Waste Authority
Recommendation: Discuss and direct staff.

12) WRITTEN COMMUNICATIONS

A. **Letter dated July 21, 2009 from Frederick L. Granados, National Committeeman for the National Association of Insurance requesting a proclamation recognizing September as Life Insurance Awareness Month.**
Recommendation: Discuss and direct staff.

B. **Request from the City of Walnut Creek to co-host a Veteran's Day ceremony on Wednesday, November 11, 2009 at the Lafayette Veterans Memorial Building.**
Recommendation: Discuss and direct staff.

13) CLOSED SESSION

A. **Property: Olympic Blvd. Property - APN 185-190-006-6**
Agency Negotiators: Steven Falk, City Manager and Jennifer Russell, Parks Trail and Recreation Director
Negotiating Parties: David Kramer, Associate Real Property Agent for Contra Costa County
Under Negotiation: Price and Terms of Payment

B. **Property: 66 Acre Parcel - APN 238-080-036**
Agency Negotiators: Steven Falk, City Manager and Niroop Srivatsa, Planning and Building Manager
Negotiating Parties: Sohrab Nazari, Owner
Under Negotiation: Price and Terms of Payment

C. **Conference with Legal Counsel - Anticipated Litigation**
Government Code section 54956.9 (1 case)

D. **Conference with Legal Counsel - Existing Litigation**
Government Code section 54956.9(a)

Lamorinda Properties, LLC v. City of Lafayette
Contra Costa Superior Court Case Number MSN09-0663

Richard F. Holmes v. City of Lafayette
California Court of Appeal Case Number A122849

14) ADJOURNMENT

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City of Lafayette
General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board1 Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 2007-049.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.